



House of Representatives

General Assembly

File No. 713

January Session, 2011

House Bill No. 6632

House of Representatives, May 3, 2011

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE SITING OF RESIDENTIAL SEXUAL OFFENDER TREATMENT FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4 of public act 10-112 is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Whenever the Department of Correction or the Court Support
4 Services Division of the Judicial Department issue a request for
5 proposals for a residential sexual offender treatment facility pursuant
6 to section 19 or 20 of public act 08-1 of the January special session, the
7 department and division, prior to consideration of a proposed site for
8 such a facility, shall:

9 (1) Require any person, firm or corporation submitting a proposal in
10 response to the request for proposals to identify at least five proposed
11 sites in various geographical locations around the state for
12 consideration; and

13 (2) Establish criteria by which such proposed sites are evaluated,
14 including, but not limited to, the proximity of a proposed site to: (A)
15 Municipal parks, recreational facilities, youth services facilities and
16 senior centers, (B) public or private elementary or secondary schools,
17 (C) commercial, industrial or residential property, (D) establishments
18 holding a permit to sell alcoholic liquor, (E) property being used for
19 religious purposes, (F) facilities offering child day care services, as
20 defined in section 19a-77 of the general statutes, (G) casinos, and (H)
21 local and state roads.

22 (b) Each person, firm or corporation submitting a proposal in
23 response to the request for proposals shall provide, prior to
24 consideration of a proposed site by the Department of Correction or
25 the Court Support Services Division, a description of the physical
26 location of the proposed site and the surrounding area. The description
27 of the surrounding area shall include local and state roads and the
28 nature, function and number of properties within one mile of the
29 proposed site including the number of properties serving commercial,
30 industrial, agricultural, recreational, religious or residential uses and
31 the number of schools, properties offering child day care services,
32 properties holding a permit to sell alcoholic liquor, senior centers and
33 casinos. Such description shall also include the proximity of such
34 proposed site to transportation facilities and employment, educational,
35 housing and counseling opportunities.

36 (c) If, on or before June 8, 2010, the Department of Correction or the
37 Court Support Services Division of the Judicial Department selected a
38 site for a residential sexual offender treatment facility pursuant to
39 requests for proposals issued pursuant to section 19 or 20 of public act
40 08-1 of the January special session, the department or division, as the
41 case may be, shall (1) prepare a description of the physical location and
42 surrounding area of the site selected, and of any other proposed sites
43 identified for consideration by the person, firm or corporation selected
44 to operate such facility, which description shall include the
45 information set forth in subsection (b) of this section, and (2) evaluate
46 the site selected, and such other proposed sites, in accordance with

47 established criteria, including the criteria set forth in subdivision (2) of
48 subsection (a) of this section. The department or division, as the case
49 may be, shall submit such description and evaluation to the General
50 Assembly not later than July 1, 2011.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|---------------------|-------------------|
| Section 1 | <i>from passage</i> | PA 10-112, Sec. 4 |
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JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

No fiscal impact will result for the Department of Correction or the Judicial Department to comply with the bill's reporting requirements concerning site selection for a residential sexual offender treatment facility.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6632*****AN ACT CONCERNING THE SITING OF RESIDENTIAL SEXUAL OFFENDER TREATMENT FACILITIES.*****SUMMARY:**

Current law requires the Department of Correction (DOC) and the Court Support Services Division of the Judicial Branch (CSSD) to each contract for 12 staff-secure residential treatment beds for sex offenders in the community (PA 10-112 § 4). That act, effective June 8, 2010, also established criteria the agencies had to take into account when considering where to locate these facilities. The original authority to issue requests for proposals for those facilities was contained in §§ 19 and 20 of PA 08-1 of the January Special Session.

Under the bill, if DOC or CSSD selected a site before June 8, 2010 pursuant to a request for proposals (DOC did so in Montville), the department or division must prepare a description and site evaluation in the same manner as if the selection were made after June 8th.

The bill requires the department to submit its description and evaluation to the General Assembly by July, 2011.

EFFECTIVE DATE: Upon passage

LOCATION DESCRIPTION

Under the bill, DOC or CSSD must prepare a description of the physical location and surrounding area of the site selected and of any other proposed sites identified for consideration by the person, firm, or corporation selected to operate the facility. The description must include:

1. local and state roads;

2. the nature, function, and number of properties within one mile of the proposed site, including the number of properties serving commercial, industrial, agricultural, recreational, religious, or residential uses;
3. the number of schools;
4. day care facilities;
5. properties with liquor licenses;
6. senior centers;
7. casinos; and
8. the facility's proximity to transportation facilities and employment, educational, housing, and counseling opportunities.

DOC or CSSD, as the case may be, must submit its description and evaluation to the Legislature by July 1, 2011.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (04/14/2011)